

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS STURGIS,	:	
<i>Plaintiff,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, et al.,	:	
<i>Defendants.</i>	:	No. 23-cv-4409

ORDER

AND NOW, this **11th day of April 2024**, upon consideration of the Motion to Dismiss (ECF No. 24) and Plaintiff's Response (ECF No. 25), it is hereby **ORDERED** that the Motion is **GRANTED in part and DENIED in part**. The Motion is **GRANTED** as detailed below:

1. All Counts against the City of Philadelphia, Sergeant Qadirah Thomas, and Sergeant Anthony Black are dismissed without prejudice. The Clerk of Court is instructed to dismiss the City of Philadelphia, Sergeant Qadirah Thomas, and Sergeant Anthony Black from this case.
2. Plaintiff's negligent infliction of emotional distress claim, as pled in Count V, is dismissed without prejudice.
3. Counts VI, VII, VIII, and X are dismissed without prejudice.

The Motion is **DENIED** as to the rest. Accordingly, Moving Defendants must file an Answer to the Amended Complaint by **Thursday, May 2, 2024**.

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE